REMARKS/ARGUMENTS

This amendment is made in response to the Office Action dated March 26, 2002.

The Examiner objected to the drawings. New proposed informal drawings are herewith provided, which disclose the struts 14 as identified in the specification.

The Examiner's objections with respect to the claims were noted. Now, Claims 1, 2, 5, 7, and 11 are amended in accordance with the Examiner's suggestions. Their consideration is respectfully requested.

Claim 12 was rejected under § 112, first paragraph, as containing subject matter not described in the specification. Claim 12 includes the step of exposing the component in the surface region to a treatment which causes the Ni content of the alloy to be reduced compared to that in the remainder of the component. This step is specifically described in, for instance, page 10, lines 14-18, "the Ni content in the alloy in a surface region of the stent is reduced by an oxidizing treatment involving exposure... The Ni content in the surface region 10 nm deep has been found to be less than 2% by weight." Thus, the step of exposing the component in the surface region to the treatment so that the Ni content of the alloy is reduced is specifically disclosed. As such, the claim is fully supported by the specification. It is respectfully submitted claims 12-19 are in condition to be treated on the merits with respect to the prior art.

Claims 1-11 were rejected using the Sakamoto abstract in view of Pelton et al., U.S. Patent No. 5,843,244. However, there is no clear indication that Sakamoto describes a device having a 10 nm deep surface region containing not more than about 5% Ni by weight. Accordingly, the specific limitation imposed by Claim 1 is nowhere to be found in Sakamoto or in any of the other references. Accordingly, it is respectfully submitted that to combine Sakamoto with Pelton et al. is inappropriate for the matter currently claimed. In this regard, it is respectfully submitted that Claims 1-11 are in condition for allowance.

Moreover, there is no clear disclosure in Sakamoto of the step of exposing the component in the surface region to a treatment which causes the Ni content of the alloy in that

region to be reduced compared with that in the remainder of the component. In this fashion, Claim 12 is also similarly allowable. In accordance, Claims 12-19 should be allowed.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

An Information Disclosure Statement and Form PTO A1449 is provided with this response.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

1. (Amended) A medical device which includes a component formed from an alloy which contains at least about 40% Ni by weight, the device having a 10 nm deep surface region [of] containing not more than about 5% Ni by weight.

2. (Amended) A device as claimed in claim 1, in which the alloy in [the] said surface region contains not more than about 3% Ni.

5. (Amended) A device as claimed in claim 3, in which [the] said oxidizing treatment comprises [at the steps of exposure to superheated steam,] a chemical treatment and an electrochemical treatment at the steps of exposure to superheated steam.

7. (Amended) The device of claim 5, in which [the] said electrochemical oxidizing treatment comprises anodizing in a acidic, neutral or basic solution.

11. (Amended) A[.] device as claimed in claim 1, in the form of a stent.